

Buchanan

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May 9, 2025

VIA ECF

Chief Judge Matthew W. Brann
The United States District Court for the Middle District of Pennsylvania
Herman T. Schneebeli Federal Bldg. & U.S. Courthouse
240 West Third Street, Suite 218
Williamsport, PA 17701

Re: Kany'e Clary v. The Pennsylvania State University, et al.
Civil Action No.: 4:25-CV-00445

Dear Judge Brann:

We represent Defendants, The Pennsylvania State University and Michael Rhoades (collectively “Defendants”), in the above matter. The parties are in receipt of Your Honor’s May 1, 2025 Order setting forth the procedure for pre-Answer motions – *see* Doc. 26 - and submit this joint letter regarding same.

This matter was transferred from the United States District Court for the Eastern District of Pennsylvania by Order dated March 7, 2025. *See* Docs. 21-22. In the prior venue, The Honorable Chad F. Kenney issued a similar Order on December 26, 2024, requiring a pre-motion meet and confer process. *See* Doc. 4. This process occurred over multiple emails and a January 3, 2025 telephone conference that resolved some (but not all) of the issues Defendants intended to raise in a motion to dismiss. *See* Doc. 7 at p. 3.¹ Thereafter, Defendants moved for partial dismissal of the Complaint, i.e., Counts I, III, and IV, and that motion contains the required certification as to the meet and confer process. *Id.*²

In his response to the motion to dismiss, Plaintiff voluntarily dismissed Counts III and IV of his Complaint and requested a remand, but opposed the balance of Defendants’ motion. *See* Doc. 9. Judge Kenney denied the request for a remand and granted Plaintiff’s request to dismiss Counts III and IV. *See* Doc. 20. However, His Honor did not decide Defendants’ motion to dismiss and it remains pending. *See* Doc. 7.

¹ More specifically, Plaintiff, Kany’e Clary (“Plaintiff”), agreed to dismiss Count II and all requests for treble damages in Counts I, II, and V.

² Defendant, Blueprint Sports and Entertainment, LLC (“Blueprint”), subsequently joined this motion. *See* Doc. 17.

Should anything further be required on the pending motion, it will be provided immediately.

Respectfully submitted,

/s/ *Geoffrey F. Sasso*

Geoffrey F. Sasso

GFS

cc: Michael Katz, Esquire
Arthur Goldman, Esquire